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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,022	06/30/2003	Chung-Heng Ma	TIH 101	1906

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EXAMINER

CHEN, JOSE V

ART UNIT PAPER NUMBER

3637

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/608,022	Applicant(s) MA, CHUNG-HENG	
	Examiner José V. Chen	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/60/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

It is requested that copies of the foreign documents cited on the declaration be sent to the Office.

Specification

The specification is replete with grammatical errors too numerous to mention specifically. Examples of such are: 1) "When the fixed unit 11 to be fixed onto the wall 50 which shown on the Figs. 2 and 5, the table plate 20 would become selectively the part, as door, of hanger body 10...." (page 6); 2) "....which the hangar body 10 preferred form the fixed unit 11's edge surrounded the side plate 13, and the top of the side space for the hanger body 10, is suggested to install an illumination unit 80. The side plate 13 and the fixed unit 11 could constructed together with a inner deep space, with hallow box hollow inside to has one opening structure such as a flat rectangular box-shaped structure. " (page 7).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are replete with grammatical errors too numerous to mention specifically. An example of such are: 1) "...a support unit for keep said table plate and the hanger body each other on the fixed position." (claim 1). Such

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language making the scope and limitations confusing to a potential infringer.

Clarification and correction are required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 8, 9, so far as definite, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kingbury in view of Hale. The patent to Kingbury teaches structure substantially as claimed including table plate (12), support unit (14), joint unit (38), wall mounted structure the only difference being that the wall mounted structure is not specifically stated as being a hangar structure. However, the use of hanger structures to mount structures to a wall is well known and further are commercially sold in any hardware store, such as Home Depot and Lowes. Further, the patent to Hale teaches the use of providing hangar structures to mount a device to a vertical support to be old. It would have been obvious at the time of the invention to modify the structure of

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Kingbury to include a conventional mounting structures, as taught by conventional commercially available structures and further taught by Hale since such structures are used in the same intended purpose, thereby providing structure as claimed. The provision of a mirror would have been a matter of desirability and would have obvious in view of adhesive mounted mirror units commercially sold.

Claim 2, so far as definite, is rejected under 35 U.S.C. 103(a) as being unpatentable over Kingbury in view of Hale as applied to the claims above, and further in view of Sorensen. The patent to Kingbury in view of Hale teaches structure substantially as claimed as discussed above including a wall mounted supported work space, the only difference being that the work space does not include a cabinet. However, the patent to Sorensen teaches the use of providing a wall mounted cabinet to be old. It would have been obvious and well within the level of ordinary skill in the art at the time of the invention was made to modify the structure of Kingbury in view of Hale to include wall mounted cabinet structure, as taught by Sorensen since such structures are alternative conventional work spaces used in the same intended purpose, thereby providing structure as claimed.

Claims 3, 4, 6, 7, so far as definite, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kingbury in view of Hale as applied to the claims above, and further in view of Ware. The patent to Kingbury in view of Hale teaches structure substantially as claimed as discussed above including hangar unit, the only difference being that there is not an illumination unit. However, the patent to Ware teaches the use of providing an illumination unit at the mounted structure to be old. It would have been

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obvious and well within the level of ordinary skill in the art at the time of the invention was made to modify the structure of Kingbury to include an illumination unit, as taught by Ware since such structure is used for the same intended purpose, thereby providing structure as claimed.

Allowable Subject Matter

Claim 5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

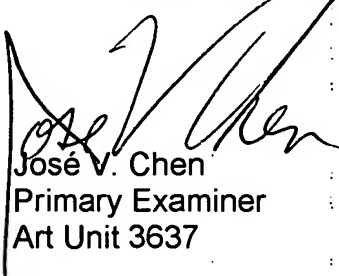
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Latchinian, Kiser, Kelly et al, Butler, Garbutt, Sr, Skafte et al, Lambert teach structure similar to applicant's.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José V. Chen whose telephone number is (703) 308-3229. The examiner can normally be reached on m-f, m-th 5:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (703)308-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



José V. Chen
Primary Examiner
Art Unit 3637

Chen/jvc
11-24-04